

**JOINT DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As the below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled , the specification of which

- ☒ is attached hereto.
- ☐ was filed on _____ as Application Serial Number _____ and was amended on _____ (if applicable).
- ☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the

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national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status — Patented, Pending, Abandoned

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

ALTHERR, Robert F.	31,810	HOSCHEIT, Dale H.	19,090	PATEL, Binal J.	42,065
BANNER, Donald W.	17,037	HYMEL, Lin J.	545,414	PATHAK, Ajay S.	38,266
BANNER, Mark T.	29,888	IWANICKI, John P.	34,628	PAYNE, Stephen S.	35,316
BANNER, Pamela I.	33,644	JACKSON, Thomas H.	29,808	PETERSON, Thomas L.	30,969
BECKER, Matthew P.	45,824	KAGAN, Sarah A.	32,141	POTENZA, Joseph M.	28,175
BECKETT, William W.	18,262	KATZ, Robert S.	36,402	PRATT, Thomas K.	37,210
BERGHAMMER, Joseph J.	46,057	KLEIN, William J.	43,719	RENK, Christopher J.	33,761
BODNER, Jordan	42,338	KRAUSE, Joseph P.	32,578	RESIS, Robert H.	32,168
BUROW, Scott A.	42,373	LINEK, Ernest V.	29,822	RIVARD, Paul M.	43,446
CALLAHAN, James V.	20,095	MAGOON, Sumeet	43,769	SCHAD, Steven P.	32,550
CHANG, Steve S.	42,402	MALONE, Dale A.	32,155	SHIFLEY, Charles W.	28,042
COHAN, Gregory J.	40,959	MANNAVA, Ashok K.	45,301	SKERPON, Joseph M.	29,864
COOPERMAN, Marc S.	34,143	MAPLE, Marie-Claire B.	37,588	SPAR, Elizabeth	45,123
CURTIN, Joseph P.	34,571	MAY, Steven A.	44,912	STOCKLEY, D. J.	34,257
DAWSON, John R.	39,504	McDERMOTT, Peter D.	29,411	VAN ES, J. Pieter	37,746
DEMOOR, Laura J.	39,654	McKEE, Christopher L.	32,384	WILLIAMS, Kathleen M.	34,380
EVANS, Thomas L.	35,805	McKIE, Edward F.	17,335	WITCOFF, Sheldon W.	17,399
FEDORCHKO, Gary D.	35,509	MEDLOCK, Nina L.	29,673	WOLFF, Kevin A.	42,233
FISHER, Daniel E.	34,162	MEECE, Timothy C.	38,553	WOLFFE, Franklin D.	19,724
FISHER, William J.	32,133	MEEKER, Frederic M.	35,282	WOLFFE, Susan A.	33,568
GLEMBOCKI, Christopher R.	38,800	MILLER, Charles L.	43,805	WRIGHT, Bradley C.	38,061
HANLON, Brian E.	40,449	MITRIUS, Janice V.	43,808		
HEMMENDINGER, Lisa M.	42,653	MORENO, Christopher P.	38,566		
HILLMAN, Lisa	43,673	NELSON, Jon O.	24,566		
HONG, Patricia E.	34,373	NIEGOWSKI, James A.	28,331		

All correspondence and telephone communications should be addressed to:

Joseph P. Krause
Banner & Witcoff, Ltd.
Ten South Wacker Drive, Suite 3000
Chicago, IL 60606-7407

Customer Number: 22908
Tel: (312) 715-1000
Fax: (312) 715-1234

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature Thomas J. Cloonan Date 11-8-00
Full Name of First Inventor Cloonan Thomas J.
Family Name First Given Name Second Given Name
Residence Lisle, Illinois Citizenship USA
Post Office Address 4602 Wedgewood Ct., Lisle, Illinois 60532

Signature Janusz Biegaj Date 11-8-00
Full Name of Second Inventor Biegaj Janusz
Family Name First Given Name Second Given Name
Residence Hinsdale, Illinois Citizenship USA
Post Office Address 9 N. Quincy, Hinsdale, Illinois 60521

Signature Steven J. Krapp Date 11-8-00
Full Name of Third Inventor Krapp Steven J.
Family Name First Given Name Second Given Name
Residence Arlington Heights, Illinois Citizenship USA
Post Office Address 610 E. Central Road, Arlington Heights, Illinois 60005

Signature Jeff Shroda Date 11-8-00
Full Name of Fourth Inventor Shroda Jeffrey R.
Family Name First Given Name Second Given Name
Residence Bolingbrook, Illinois Citizenship USA
Post Office Address 437 Springwood Lane, Bolingbrook, Illinois 60440

Signature Daniel W. Hickey Date 11-9-00
Full Name of Fifth Inventor Hickey Daniel W.
Family Name First Given Name Second Given Name
Residence Oswego, Illinois Citizenship USA
Post Office Address 1651 Johnson Road, Oswego, Illinois 60543

Signature Todd D. Kessler Date 11-10-00
Full Name of Sixth Inventor Kessler Todd D.
Family Name First Given Name Second Given Name
Residence Naperville, Illinois Citizenship USA
Post Office Address 2220 Snow Creek Court, Naperville, Illinois 60564

Signature *Alfred R. Zantow* Date 11/8/00
Full Name of Eighth Inventor Zantow Alfred R.
Family Name First Given Name Second Given Name
Residence Elgin, Illinois Citizenship USA
Post Office Address 275 Hamilton Avenue, Elgin, Illinois 60123

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney's Docket No. 4807.00017)

Applicant or

Patentee: Thomas J. Cloonan; Janusz Biegaj; Steven J. Krapp; Jeffrey R. Shroda; Daniel W. Hickey; Todd D. Kessler; Jeffrey J. Howe; Alfred R. Zantow

Serial or
Patent No. _____

Filed or
Issued: _____

Title: Method and Apparatus For Preventing Re-Ranging and Re-Registration of Cable Modems During Protection Switching Between Active and Spare Cable Interface Cards in a Cable Modem Termination System

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. § 1.9(f) AND § 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Cadant, Inc.

ADDRESS OF CONCERN 4343 Commerce Ct., Suite 207

Lisle, Illinois 60532

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.12, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Method and Apparatus For Preventing Re-Ranging and Re-Registration of Cable Modems During Protection Switching Between Active and Spare Cable Interface Cards in a Cable Modem Termination System

by inventor(s) Thomas J. Cloonan; Janusz Biegaj; Steven J. Krapp; Jeffrey R. Shroda; Daniel W. Hickey; Todd D. Kessler; Jeffrey J. Howe; Alfred R. Zantow
described in

- ☒ the specification filed herewith
☐ Application Serial No. , filed .
☐ Patent No. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual concern or organization having rights in the invention must file verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR § 1.9(d), or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization having any rights to the invention is listed below:

 No such person, concern or organization exists.

X Each such person, concern or organization is listed below.

FULL NAME Cadant, Inc.

ADDRESS 4343 Commerce Ct., Suite 207, Lisle, Illinois 60532

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights in the invention averring to their status as small entities. (37 CFR § 1.27).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing therein, or any patent to which this verified statement is directed.

~~Venkata C. Majeti~~ THOMAS J. CLOONAN

NAME OF PERSON SIGNING

~~President and CEO~~ CTO

TITLE IN ORGANIZATION

4343 Commerce Ct., Suite 207, Lisle, Illinois 60532

ADDRESS OF PERSON SIGNING

Signature

Thomas J. Cloonan